

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of:

Case No. INS-24-0073

MICHAEL BIEKER, an Individual,
Respondent.

ORDER TO CEASE AND DESIST,
ORDER SUSPENDING LICENSE,
ORDER ASSESSING CIVIL
PENALTY, AND CONSENT TO
ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon (“Director”), acting in accordance with Oregon Revised Statutes (“ORS”) chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 743B, 744, 746, 748 and 750 (“Insurance Code”), conducted an investigation into the activities of Michael Bieker (“Respondent”) and determined that Respondent engaged in activities constituting violations of the Insurance Code.

Respondent wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the authorized signatures subscribed on this Order, Respondent hereby CONSENTS to entry of this Order upon the Director’s Findings of Fact and Conclusions of Law as stated hereinafter.

FINDINGS OF FACT

The Director FINDS that:

1. On April 2, 1993, Respondent was issued an Oregon resident insurance producer license. His National Producer Number (“NPN”) is 6241232.

2. Respondent’s principal place of business is 25920 Alfalfa Market Rd., Bend, OR 97701.

Failure to Maintain/Preserve Records and Deficient Practices

3. Respondent is in the business of entering into premium finance agreements. A

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387





1 premium finance agreement is “an agreement by which an insured or prospective insured
2 promises to pay to a premium finance company or to its assignee the amount advanced or
3 to be advanced under the agreement to an insurance carrier or to an insurance producer in
4 payment of premiums on an insurance policy together with a service charge.”¹

5 4. Per the terms of Respondent’s premium finance agreements, Respondent’s
6 clients make installment payments to pay back the advanced funds. When clients fail to
7 make a payment, Respondent issues a nonpayment notice. When clients continue to fail to
8 make the payment, Respondent issues a cancellation notice, at which time he may initiate
9 action to cancel the financed insurance policy.²

10 5. The purpose of the notices is to provide consumers with adequate information
11 and opportunity to ensure the maintenance of their insurance policies.

12 6. Pursuant to the Director’s investigation, Respondent was asked to provide the
13 files he maintained for premium finance activities performed on behalf of Oregon
14 consumers “MH,” “BH,” and “DS” (“ the Oregon Consumers”).³ The Director specifically
15 asked Respondent to provide the notices he sent these consumers in connection with their
16 premium finance accounts.

17 7. On September 23, 2022, Respondent identified the amounts financed by the
18 Oregon Consumers, the payments received from them, and the fees charged to them. His
19 response stated Respondent “had no physical copies of any Notices of Cancellation, Non-
20 Payment notices, or any other notice sent to” the Oregon Consumers. Respondent provided
21 “stock copies” of his notices. The stock nonpayment notice gave the insured ten days’
22 notice to make payment before proceeding with cancellation efforts.

23 8. Respondent’s response failed to identify payments missed by the Oregon
24

¹ See ORS 746.405(1).

² Per Respondent’s nonpayment notice, ““Please be advised that because of your failure to make payment of the amount due under your Premium Service Agreement with our company, we will request and effect cancellation of the policy or policies covered therein, pursuant to the power of attorney signed by you[.]”

³ MH and BH sought liability insurance policies for their Oregon-based businesses.



1 consumers and/or notices sent to them.

2 9. On October 27, 2022, Respondent supplemented his response and stated he had
3 “no record of canceling the above-mentioned accounts for nonpayment of premiums, nor
4 did he have any direct knowledge as to the circumstances that led to any of the
5 cancellations.”

6 10. On December 16, 2022, Respondent supplemented his response and identified
7 the Oregon Consumers’ payment history and notices sent to them. Respondent again failed
8 to provide any contemporaneous records.

9 11. Respondent’s responses were deficient in numerous respects, creating concerns
10 as to the adequacy and consistency of his recordkeeping and business practices. In
11 particular:

12 A. Respondent failed to identify all notices issued to the Oregon
13 Consumers;

14 B. Respondent issued notices at inconsistent and inappropriate intervals;

15 C. Respondent issued notices for policies that had already been cancelled
16 or expired;

17 D. Contrary to Respondent’s assertions, he cancelled MH’s policy due to a
18 missed payment;

19 E. Respondent issued a reinstatement notice for a policy that was not
20 reinstated;

21 F. Respondent collected payments from the Oregon Consumers for
22 policies that had been cancelled or were not issued;

23 G. Respondent’s accounting of payments made by the Oregon Consumers
24 was inconsistent across his responses; and

25 H. Respondent’s accounting of amounts financed by the Oregon
26 Consumers was inconsistent across his responses.



1 MH

2 12. In or around February 2020, MH financed \$2,853 from Respondent to fund his
3 business's general liability insurance policy.

4 13. Respondent's September 23, 2022 response stated MH made monthly payments
5 of \$462.64 to pay back the advanced funds. Respondent's December 16, 2022 response
6 stated MH made monthly payments of \$442.64.

7 14. On April 2, 2020, Respondent issued a nonpayment notice to MH in response
8 to a missed payment. Four days later, on April 6, 2020, Respondent issued a cancellation
9 notice but did not initiate cancellation of the policy.⁴

10 15. On November 5, 2020, Respondent issued a cancellation notice to MH in
11 response to a missed payment, and initiated cancelation of his insurance policy.
12 Respondent did not identify this notice in his responses to the Director.

13 16. There is no indication Respondent issued a nonpayment notice to MH prior to
14 issuing the November 5, 2020 cancellation notice.

15 17. On November 25, 2020, Respondent accepted a \$472.64 payment from MH and
16 issued a reinstatement notice for his cancelled policy. However, MH's policy was never
17 reinstated.⁵

18 18. In February 2021, MH paid his insurance producer, Compass Insurance
19 Services LLC ("Compass"), \$1,762.80 to renew his policy, which he mistakenly believed
20 to be active.

21 19. In or around April 2021, MH financed \$2,662.80 from Respondent to fund his
22 business's 2021-2022 policy.

23 20. Respondent's September 23, 2022 response stated MH made a payment of
24 \$1,119.19 on May 17, 2021 to pay back the advanced funds. Respondent's December 16,
25

26 ⁴On May 13, 2020, MH paid \$915.28 to Respondent.

⁵ MH's business had no general liability insurance coverage from November 5, 2020 through May 18, 2021.



1 2022 response stated MH made a payment of \$1,649.13 and that Respondent “wrote off”
2 \$1,119.19.⁶

3 21. In or around June 2021, MH financed additional funds from Respondent.⁷
4 Respondent’s September 23, 2022 response stated MH financed \$4,233.52. Respondent’s
5 December 16, 2022 response stated MH financed \$4,322.52.

6 BH

7 22. In or around July 2021, BH financed \$3,220 from Respondent to fund his
8 business’s general liability insurance policy.

9 23. The renewal application for BH’s policy was not bound, and expired on July
10 15, 2021.⁸

11 24. On August 16, 2021, Respondent issued a nonpayment notice to BH, despite
12 there being no active policy to fund.⁹ That same day, Respondent accepted a \$1,000
13 payment from BH to pay back the advanced funds.

14 25. On September 8, 2021, Respondent issued a cancellation notice to BH, despite
15 there being no active policy to cancel and despite having accepted BH’s August 16, 2021
16 payment. That same day, Respondent accepted a \$3,220 payment from Compass to satisfy
17 BH’s payment obligation.¹⁰

18 26. BH’s business was without general liability coverage from July 15, 2021
19 through December 10, 2021.

20 27. In or around December 2021, BH financed \$4,422.93 from Respondent to fund
21 his business’s 2021-2022 policy. Shortly thereafter, Respondent, working in conjunction

22 _____
23 ⁶ In a January 2025 response, Respondent stated that “to the best of his recollection” the May 17, 2021
24 payment *was* in the amount of \$1,119.19 and they were unable to collect the \$1,649.13 that remained owing.

25 ⁷ It’s unclear whether these funds were also used to fund his business’s policy.

26 ⁸ BH’s insurance producer was Compass.

⁹ While BH was obligated to repay the financed funds regardless of the status of his policy, the insurance
carrier would have refunded Respondent or Compass the unearned premiums it had collected, satisfying BH’s
payment obligations. *See* ORS 746.515(1).

¹⁰ This sum represents the unearned premiums the insurance carrier refunded Compass. On November 1,
2021, Respondent issued an overpayment refund of \$874.96 to Compass.



1 with Compass, became BH's insurance producer.

2 28. On March 23, 2022, Respondent issued a nonpayment notice to BH in response
3 to a missed payment. Eight days later, on March 31, 2022, Respondent issued a
4 cancellation notice and initiated cancelation of his insurance policy.¹¹

5 29. On July 1, 2022, Respondent issued a nonpayment notice to BH in response to
6 a missed payment. Four days later, on July 5, 2022, Respondent issued a cancellation
7 notice but did not initiate cancellation of the policy.

8 30. On July 13, 2022, Respondent accepted two payments from BH, in the amounts
9 of \$1,532.90 and \$874.96. Respondent failed to identify the \$874.96 payment in his
10 September 23, 2022 response to the Director.

11 31. On October 1, 2022, Respondent issued a nonpayment notice to BH in response
12 to a missed payment. Three days later, on October 4, 2022, Respondent issued a
13 cancellation notice but did not initiate cancellation of the policy.¹²

14 DS

15 32. In or around February 2021, DS financed \$3,704.55 from Respondent to fund a
16 general liability insurance policy for an apartment building he owned.

17 33. Rather than provide the advanced funds to the insurance carrier issuing the
18 policy, Respondent provided them to DS's insurance producer, Compass. This delayed the
19 activation of DS's policy and it was not issued until in or around April 2021.

20 **Failure to Reply to the Director's Inquiries**

21 34. On October 16, 2024, the Director directed additional inquiries to Respondent
22 regarding this matter. Inquiries (5) – (7), which included sub-inquiries, pertained to each
23 of the Oregon Consumers. In particular, these inquiries asked Respondent:

24 A. Why he collected payments for inactive policies;

25 _____
26 ¹¹ On April 5, 2022, Respondent accepted a \$1,000 payment from BH and issued a reinstatement notice for the policy.

¹² On November 15, 2022, Respondent accepted a \$863.34 payment from BH.



- 1 B. What he did with the payments he collected for inactive policies;
- 2 C. Why he issued notices for inactive policies;
- 3 D. Why he issued notices at such short and inconsistent intervals; and
- 4 E. Why he directed the funds for DS’s policy to Compass instead of the
- 5 insurance carrier.

6 35. On November 13, 2024, Respondent provided a partial response to the
7 Director’s inquiries. However he stated he was “unable” to answer inquiries (5) – (7) as
8 they “involve actions/inactions of Compass, Keating, Inc., and Novatae Risk Group
9 possibly delving into the Insurance Code under ORS 742.” In this response, Respondent
10 confirmed he did not even possess copies of the premium finance agreements into which
11 the Oregon Consumers had entered.

12 36. On November 14, 2024, the Director directed Respondent to respond to
13 inquiries (5) – (7) individually and to the best of his ability, and that he may supplement or
14 modify his responses as he obtained further information. The Director gave Respondent
15 until November 21, 2024 to respond.

16 37. Respondent failed to provide a timely response to the Director’s inquiries.¹³

17 CONCLUSIONS OF LAW

18 The Director CONCLUDES that:

19 38. Pursuant to ORS 746.405(2), Respondent owns a premium finance company.

20 39. By failing to maintain and/or preserve records of his premium finance
21 transactions with the Oregon Consumers, as set forth in Paragraphs (6) - (7), (11), and (35),
22 Respondent violated ORS 746.465(1) and (2).

23 40. Respondent demonstrated financial irresponsibility in the conduct of his
24 business, in violation of ORS 744.074(1)(h), by:

- 25 A. Failing to maintain and/or preserve records of his premium finance

26 ¹³ On or around January 24, 2025, Respondent responded to a revised series of inquiries.



1 transactions with the Oregon Consumers, as set forth in Paragraphs (6) - (7), (11),
2 and (35);

3 B. Accepting payments for inactive policies and failing to account for those
4 funds, as set forth in Paragraphs (11), (17), and (24) – (25);

5 C. Failing to maintain clear, complete, consistent, and/or accurate records
6 for his premium finance business, as set forth in Paragraphs (11), (13), (15), (20) –
7 (21), (25), and (30); and

8 D. Failing to timely provide funds to DS’s insurance carrier, and
9 erroneously providing them to Compass, delaying the activation of DS’s insurance
10 policy, as set forth in Paragraphs (32) – (33).

11 41. Respondent demonstrated incompetence and untrustworthiness in the conduct
12 of his business, in violation of ORS 744.074(1)(h), by:

13 A. Failing to maintain and/or preserve records of his premium finance
14 transactions with the Oregon Consumers, as set forth in Paragraphs (6) - (7), (11),
15 and (35);

16 B. Engaging in the conduct set forth in Paragraph (40);

17 C. Failing to identify all notices issued to the Oregon Consumers, as set
18 forth in Paragraphs (11) and (15);

19 D. Failing to issue a nonpayment notice to MH, as set forth in Paragraph
20 (16);

21 E. Issuing notices for inactive policies, as set forth in Paragraphs (11) and
22 (24) – (25);

23 F. Issuing a reinstatement notice for a policy that was not reinstated, as set
24 forth in Paragraphs (11) and (17);

25 G. Arbitrarily and inconsistently enforcing the cancellation notices he
26 issued, as set forth in Paragraphs (11), (14) – (15), (28) – (29), and (31); and



1 H. Issuing cancellation notices fewer than ten days after issuing
2 nonpayment notices, as set forth in Paragraphs (7), (11), (14) and (28) – (29).

3 42. Because Respondent engaged in the foregoing violations of ORS
4 744.074(1)(h), the Director may suspend his insurance producer license.

5 43. By failing to adequately respond to the Director’s inquiries, as set forth in
6 Paragraphs (34) – (37), Respondent violated ORS 731.296 and ORS 746.422.

7 44. Because Respondent engaged in the foregoing violation of ORS 731.296, the
8 Director may suspend his insurance producer license, under ORS 744.074(1)(b).

9 45. Because the Director has reason to believe that Respondent has been engaged
10 in violations of the Insurance Code, the Director may issue an order to Respondent to cease
11 and desist, under ORS 731.252(1).

12 46. The Director may impose a civil penalty of up \$10,000 *per violation* upon any
13 person who violates a provision of the Insurance Code, under ORS 731.988(1). The civil
14 penalty for individual insurance producers may not exceed \$1,000 for each offense.

15 ORDERS

16 Now therefore, the Director issues the following Orders:

17 47. As authorized by ORS 731.252(1), the Director ORDERS Respondent to
18 CEASE AND DESIST from violating ORS 744.074(1)(h), ORS 731.296, ORS 746.422,
19 and ORS 746.465(1) and (2).

20 48. As authorized by ORS 731.988(1), the Director hereby ORDERS that
21 Respondent be subject to a CIVIL PENALTY of \$30,000 as follows:

22 A. \$10,000 for violating ORS 744.074(1)(h) in connection with the Oregon
23 Consumers;

24 B. \$10,000 for violating ORS 731.296 and ORS 746.422; and

25 C. \$10,000 for violating ORS 746.465(1) and (2).

26 49. The Director hereby suspends payment of \$21,472.64 of the CIVIL PENALTY



1 for a period of three years, provided Respondent complies with the terms of this Order.

2 50. The non-suspended CIVIL PENALTY (\$8,527.36) is due and payable on the
3 following terms:

4 A. \$1,065.92 at the time Respondent returns this signed Order to the
5 Director; and

6 B. Seven additional monthly payments of \$1,065.92, with the first payment
7 due and payable on April 1, 2026;¹⁴

8 51. Respondent shall issue the following refund payments within thirty (30) days
9 from the effective date of this Order and provide the Division with documentation of such
10 payments within that timeframe:

11 A. \$472.64 to MH; and

12 B. \$1,000 to BH.

13 52. As authorized by ORS 744.074(1)(b) and (h), the Director hereby SUSPENDS
14 Respondent's insurance producer license for NINE MONTHS, effective April 1, 2026.

15 53. During the suspension period, Respondent shall perform the actions required to
16 maintain his insurance producer license, including satisfying any applicable fee, filing, or
17 continuing education requirements.

18 54. Respondent SHALL complete four hours of continuing education ethics
19 training. This shall be in addition to any ethics-based continuing education training
20 required to maintain his insurance producer license. Any ethics-based continuing
21 education training that would fulfill Respondent's license obligations is eligible to satisfy
22 this condition. Respondent shall submit proof of completion within one year of the date
23 this Order is fully executed. Proof shall be submitted to the Division at 350 Winter St NE,
24 Room 410, Salem OR 97301 or DFR.ReportEnforcement@Oregon.gov.

25 55. Respondent SHALL maintain and preserve records of his premium finance

26 ¹⁴ Subsequent payments shall be due on the first business day of each month.

1 transactions. This includes, but is not limited to, maintaining copies of all agreements,
2 notices, and correspondence that are related to his transactions. This includes maintaining
3 a complete and accurate financial accounting of his transactions. At the Director's request,
4 Respondent shall provide the Director with copies of such records to verify his compliance
5 with this term.

6 56. Respondent's failure to satisfy any term(s) of this Order will render all
7 suspended and non-suspended penalties immediately due and owing.

8 57. This Order is binding upon Respondent's successors and assigns.

9 58. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that
10 provision, the entry of this Order does not limit other remedies that are available to the
11 Director under Oregon law.

12 SO ORDERED this 5th day of March, 2026.

13 SEAN E. O'DAY, Director
14 Department of Consumer and Business Services

15 /s/ Dorothy Bean
16 Dorothy Bean Chief of Enforcement
17 Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, Michael Bieker, have read the foregoing Consent Order, and I know and fully understand the contents hereof. I have been advised of my right to a hearing and of the right to be represented by counsel in this matter. I voluntarily and without any force or duress consent to the entry of this Consent Order expressly waiving any right to a hearing in this matter in this jurisdiction. I understand that the Director reserves the right to take further actions to enforce this Consent Order or to take appropriate action upon discovery of other violations of the Insurance Code. I will fully comply with the terms and conditions stated herein.

I understand that this Consent Order is a public document.

Signature: /s/ Michael Bieker

State of Oregon

County of Deschutes

Signed or attested before me on this 21st day of February, 2026

by Michael P. Bieker.

/s/ Michelle Diane Jeffers

Notary Public

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